

IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In Re:	§	
Andrew Alexander, Jr.	§	Case No. 10-38651-H4
Rita R. Alexander	§	Chapter 13
	§	
Debtors	§	JUDGE JEFF BOHM

**TRUSTEE'S NOTICE OF FINAL CURE PAYMENT
AND MOTION TO DEEM MORTGAGE CURRENT**

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

To the Honorable United States Bankruptcy Judge:

David G. Peake, Chapter 13 Trustee, (the "Trustee"), files this Notice of Final Cure Payment and Motion to Deem Mortgage Current.

NOTICE OF FINAL CURE PAYMENT

1. Based on the Trustee's records, the Debtor has completed all payments to the Trustee due under the confirmed plan in this case. Pursuant to FED. R. BANKR. P. 3002.1(f), you are hereby notified that the Debtor has paid in full the amounts required to cure any default (both pre- and post-petition) on all claims secured by a security interest in the Debtor's principal residence. You are further notified pursuant to FED. R. BANKR. P. 3002.1(f), that within twenty one (21) days after service of this notice, each holder of a claim secured by a security interest in the Debtor's principal residence is required to file and serve on the Debtor, the Debtor's counsel, and the trustee a statement indicating (1) whether the holder agrees that the Debtor has paid in full the amount required to cure any default on its claim, and (2) whether the Debtor is otherwise current on all payments consistent with 11 U.S.C. § 1322(b)(5). The statement must itemize the required cure or post-petition amounts, if any, that the holder contends remain unpaid as of the date of the statement. The statement shall be filed as a supplement to the holder's proof of claim and is not subject to FED. R. BANKR. P. 3001(f).

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Motion to Deem Mortgage Current and Direct Debtor to Begin Making Direct Payments

2. Based on the Trustee's records, the Debtor has completed all payments to the Trustee required under the confirmed plan in this case to the following creditors whose claims are secured by a security interest in the Debtor's principal residence:

WACHOVIA MORTGAGE

3. The Trustee requests an order determining that (i) that the claim(s) of the above identified creditor(s) are current; (ii) all escrow deficiencies, if any, have been cured; and (iii) all legal fees, inspection fees and other charges imposed by the creditor, if any, have been satisfied in full.

4. The Debtor should begin making direct payments to the following creditors whose claims are secured by a security interest in the Debtor's principal residence:

<u>Creditor Name & Address</u>	<u>Amount</u>	<u>Next Payment Due Date</u>	<u>Claim #</u>
WACHOVIA MORTGAGE 4101 WISEMAN BLVD., T7416-023 SAN ANTONIO, TX 78251	\$687.71	11/01/2015	6

Accordingly, the Trustee requests that the Court grant relief consistent with the foregoing and such other relief as is just.

Dated: 11/09/2015.

Respectfully Submitted,

/s/ David G. Peake

David G. Peake
Standing Chapter 13 Trustee
9660 HILLCROFT, STE 430
HOUSTON, TX 77096
TELEPHONE (713)283-5400
FACSIMILE (713)852-9084

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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of Trustee's Motion to Deem Mortgage Current has been served electronically on all parties requesting electronic notice and has been served on the parties listed below by U.S. mail on November 09, 2015.

Andrew Alexander, Jr.
Rita R. Alexander
5311 Lelia St.
Houston, TX 77026

US Mail

FEALY LAW FIRM PC
VICKY M FEALY
1235 NORTH LOOP WEST STE 1005
HOUSTON, TX 77008-1759

CM/ECF Electronic Notice

WACHOVIA MORTGAGE
A DIVISION OF WELLS FARGO BANK, NA
4101 WISEMAN BLVD., T7408-11
SAN ANTONIO, TX 78251

US Mail

CREDITOR ATTORNEY:
MANN & STEVENS
550 WESCOTT STREET, STE 560
HOUSTON, TX 77007-9000

CM/ECF Electronic Notice

/s/ David G. Peake

David G. Peake
Chapter 13 Trustee